THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA): (a) to (d) No, Sir. It is not correct to say that the standard of medical colleges in the country is deteriorating. The Medical Council of India is empowered under the Indian Medical Council, 1956, to take necessary action to maintain the standard of medical education in the country. The Medical Colleges are advised by them to remove the deficiencies, if any, pointed out by the Council's Inspectors during their periodical inspections of infrastructure. The Central Government does not provided funds to the medical colleges in the country to maintain standard. However, under the orders of Supreme Court, subvention on account of fees is paid to private medical colleges at the rate of Rs. 5000/- per annum per student excluding students admitted against the NRI/foreign students quota.

Stringent laws to prevent sale of spurious drugs

2973. SHRI ABANI ROY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether there is an urgent need for more stringent laws to prevent the sale of spurious and banned drugs in the country;

(b) if so, whether Government propose to enact a legislation in this regard;

(c) if so, the details thereof; and

(d) the other steps Government propose to take to prevent the sale of spurious and banned drugs in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA): (a) to (c) Under the provisions of Drugs and Cosmetics Act, 1940 and Rules thereunder, State Government have been empowered to enforce quality of durgs including check on manufacture or sale of spurious and banned drugs. The said Act was amended in 1982 to provide for specific definition of spurious drug. Manufacture and sale of spurious drug, if detected, is punishable with imprisonment for a term which may extend to a term of the life and with fine

which shall not be less than Rs.10,000/-. Hence there are adequate stringent provisions available in the said Act to tackle the problem of spurious drugs.

Section 26-A of the said Act empowers Central Government to prohibit manufacture, sale or distribution of drugs whose use is likely to involve any risk to any human being or it does not have the therapeutic value claimed or does not have therapeutic justification.

72 categories of drugs have already been prohibited by the Government. The Act provides one year imprisonment but which may extend to two years and fine if any person is found contravening the provision of manufacture, sale or distribution of prohibited drug.

(d) Since manufacture and sale of spurious medicine is a clandestine activity indulged in by anti-social persons, steps are taken from time to time by the enforcement authorities of the States to detect and unearth spurious/fake drugs in the interstate commerce. The Drugs Controller General (India) has advised the state drugs controller to take the following measures for curbing the incident of spurious drugs:—

(i) Constitution and reactivation of State Drug Advisory Committees in which various trade and industry associations as well as consumer associations should find representation.

(ii) Establishment of separate intelligence-cum-legal machinery with police assistance.

(iii) To provide training to selected officials of Drug Control Administration in the modalities of intelligence work prosecution etc. in respect of spurious counterfeit drugs.

(iv) To ensure speedy analysis of drug samples by establishing own State level drug testing facilities.

(v) State Drugs Control Authorities should be cautious while approving licenses for drug product to ensure that look-alike products are not encouraged.

(vi) To develop efficient communication facilities and recall procedures.

(vii) To undertake Surveillance of suspected dealers.

(viii) To engage experienced counsel for fighting spurious drug cases.

(ix) To obtain Cooperation of Pharmaceutical Industry by regular interaction with them.

(x) To collect survey samples under National Survey Quality Evaluation of Drug (NSQED) Programme.

In addition the following steps have been taken:—

1. Association of Pharmaceutical Industry and All India Organisation of Chemists and Druggists have been asked to take necessary initiative to collectively combat the menace of spurious drugs.

2. The problem of manufacture and sale of spurious drugs and the need to ensure its checking has been specifically explained to State Health Ministers during the meeting of Central Council of Health and Family Welfare held on 12th and 13th July, 2001 in New Delhi.

3. The Ministry of Health and Family Welfare constituted a Committee under the Chairmanship of DGHS on July 18, 2001 associating members from industry, trade, drug regulatory officials and public representative to go into all aspects of the menace of spurious drugs and suggest remedial measures. Meeting of the Committee were held on October 25, 2001 and March 14, 2002 and various underlying issues concerning manufacture and sale of spurious drugs in the country were examined.